

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **John Shanklin, et al.**

Application No.: **10/822,370**

Examiner: **T. Saidha**

Filing Date: **April 12, 2004**

Art Unit: **1652**

Confirmation No.: **2864**

Attorney Docket No.: **BSA 04-11**

Title: **MUTANT FATTY ACID DESATURASE AND METHODS FOR
DIRECTED MUTAGENESIS**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR § 1.130

Sir:

I, Christine L. Brakel, am the Agent of record for the above identified case.

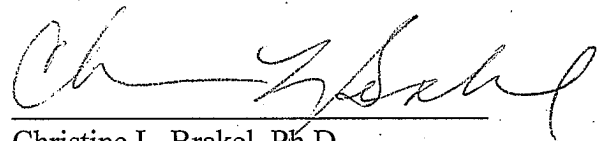
In the referenced case, claims 1-9 of U.S. Patent No. 5,705,391 and claims 33-38 and 51-58 of U.S. Patent No. 6,100,091 were cited as grounds for rejection under the judicially created doctrine of double patenting.

In compliance with the requirements of 37 CFR §1.130, I declare that the present application is owned by Brookhaven Science Associates, LLC. and the cited US Patents are owned in part by the same party, i.e., Brookhaven Science Associates, LLC.

I further declare that the inventor, John Shanklin, who is named in the present application is a prior inventor of the cited US patents.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true. Further that these statements were made with the knowledge that willfully false statements, and the like, so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willfully false statements may jeopardize the validity of patent that may issue from the referenced application.

April 16, 2007

A handwritten signature in cursive script, appearing to read 'Ch L Brakel', written over a horizontal line.

Christine L. Brakel, Ph.D.
Registration No. 45,772